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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/587,904      | 06/06/2000  | Junji Sato           | MAE232              | 9961             |

23995 7590 12/22/2003

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| EXAMINER |
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GIBBS, HEATHER D

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| ART UNIT | PAPER NUMBER |
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2622

DATE MAILED: 12/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/587,904

Applicant(s)

SATO, JUNJI

Examiner

Heather D Gibbs

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-12, 14, 15 and 20-24 is/are rejected.
- 7) ☒ Claim(s) 7-9, 13 and 16-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment was received on 08/11/2003 and has been entered and made of record. Claims 1-24 are pending.

***Response to Arguments***

2. Applicant's arguments, see Pages 7-9, filed 08/11/2003, with respect to the rejection(s) of claim(s) 1-19 under 35 USC 102(e) and 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ogura (US 4,876,609).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogura (4,876,609).

Regarding claim 1, which is representative of claims 5, 10, 14, 22, Ogura teaches a digital copier having facsimile transmission comprising: a detection unit detecting transition points in image data representing an image of a page having a width greater than a printing width of the facsimile machine; and an adjustment unit coupled to the detection unit having

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means for deciding whether the image data will be adjusted on the basis of the detected transition points (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Considering claim 2, Ogura teaches wherein the image data are coded data that have not yet been expanded into bit-mapped image data, and the detection unit detects margins of the page image on the basis of the transition points of the coded data (Col 7 Lines 20-48).

Considering claim 3, which is representative of claim 6, Ogura teaches wherein the adjustment unit has means for adjusting the image data by adjusting a printing position of the image data in a horizontal scanning direction (Col 17 Lines 12-25).

Regarding claim 4, Ogura teaches wherein the adjustment unit has means for adjusting the image data by zooming the image data (Col 11 Lines 22-29).

Considering claim 11, Ogura teaches wherein said image data comprise run-length data (Col 7 Lines 25-28).

Considering claims 12, Ogura teaches wherein said step ( c ) comprises repositioning the image of said page (Col 17 Lines 12-25).

Regarding claim 15, Ogura further teaches the step of (g) changing said offset once per horizontal line of picture elements in the image of said page (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Considering claim 20, Ogura teaches wherein the detection unit detects margins of the page image on the basis of the transition points on the image data; and the adjustment unit compares the detected margins of the page image on the basis of the transition points of the image data; and the adjustment unit compares the detected margins of the page image with set printing margins, and makes a decision that the page image will not be

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reduced in width for printing if the set printing margins are smaller than the detected margins of the page image (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Regarding claims 21 and 24, Ogura teaches wherein the printing margins are set with reference to the width of the detected page image (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Regarding claim 23, Ogura teaches wherein step (p) comprises making a decision that the page image will not be reduced in width for printing if the set printing margins are smaller than the detected margins of the page image (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

#### *Allowable Subject Matter*

5. Claims 7-9, 13, 16-19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

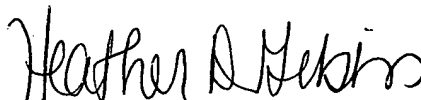
#### *Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

  
Heather D Gibbs  
Examiner  
Art Unit 2622

hdg

  
EDWARD COLES  
SUPERVISOR  
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